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Letter dated 6 June 2011 from the Permanent Representative of Tajikistan to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the information contained in document A/65/842, entitled "Water resources are the basis for sustainable development and future progress", which was disseminated at the United Nations by the delegation of the Republic of Uzbekistan.

This document subjectively examines the use of water resources and the development of hydropower in the Aral Sea basin and is a one-sided reflection of the outcome of the conference entitled "Towards the Sixth World Water Forum — cooperative actions for water security", held in Tashkent on 12 and 13 May 2011. In that connection, I have the honour to bring to your attention the comments of Tajikistan on the aforementioned document (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the sixty-fifth session of the General Assembly under agenda item 20.

(*Signed*) Sirodjidin **Aslov**
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to the United Nations

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Annex to the letter dated 6 June 2011 from the Permanent Representative of Tajikistan to the United Nations addressed to the Secretary-General

Comments on the letter dated 16 May 2011 from the Permanent Representative of Uzbekistan to the United Nations, entitled "Water resources are the basis for sustainable development and future progress"

1. It is difficult to overestimate the importance of water for development, the maintenance of peace and stability and environmental sustainability. In recent decades, as the world economy has developed and the population of the Earth has increased, water has become an increasingly acute issue. Global climate change, which is causing a further reduction in water resources, is making this a doubly difficult challenge. For this reason, and because of the particular importance of this strategic resource and a deep awareness of growing water challenges, the international community now attaches particular importance to addressing these issues. Establishing and developing mutually advantageous and fair cooperation on water issues should be central to this process. It is on the basis of these considerations that the Republic of Tajikistan sponsored General Assembly resolutions 55/196, entitled "International Year of Freshwater, 2003", 58/217, entitled "International Decade for Action, 'Water for Life', 2005-2015" and 65/154, entitled "International Year of Water Cooperation, 2013", which were adopted by consensus.

2. It is well known that there are upwards of 260 watercourses in the world that cross the borders of two or more States. They cover 45 per cent of the inland areas where more than 40 per cent of the world's population lives. There are 145 countries with international river basins, and the well-being of their populations largely depends on well-managed water cooperation. A lack of appropriate cooperation leads to significant risks and losses. When cooperation is lacking, many problems go unresolved and may at times become more acute. Ultimately, all of this adversely affects the economic and social situations of every country sharing a river basin. The peace, stability and development of many countries sharing water resources is almost entirely dependent on the nature of their relations with other States. In many regions of the world, the strengthening of transboundary water cooperation promotes and facilitates the enhanced integration processes that are a principal factor in harmonious development.

3. Central Asia is no exception in this regard. The countries of the region share the water resources of two major rivers, the Amu Darya and the Syr Darya, as well as those of several small transboundary watercourses. There is no doubt that progress would be impossible without appropriate cooperation for the management and use of these resources, especially given that a significant portion of the region's water resources originate in the territories of certain States, while other States account for maximum water use. The foundation for regional cooperation on water resource use and management was laid when the countries of the region were at the earliest stages of their independence. The first fundamental regional legal instrument in this area was established by the signature on 18 February 1992 in Almaty, Kazakhstan, of the Agreement between the Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Tajikistan, Turkmenistan and the Republic of

Uzbekistan on cooperation for the joint management, use and protection of interstate water resources. The Interstate Commission for Water Coordination of Central Asia (ICWC), which distributes water resources among the countries of the region, was established on the basis of that Agreement. Slightly later, in 1993, the International Fund for Saving the Aral Sea was established to address integrated water management challenges in the Aral Sea basin. The Fund was created through the efforts of all the Heads of State of the region, in order to mitigate the Aral Sea crisis.

4. It is widely acknowledged that the Central Asian region experienced a major environmental crisis in the second half of the twentieth century, with the desiccation of the Aral Sea. The amount of water being drawn from the two main rivers in the region, the Amu Darya and the Syr Darya, doubled following the extensive reclamation of newly irrigated land, whose area increased in a relatively short period of time from 4 million to more than 8 million hectares. This led to a sharp decline in flow into the Aral Sea, as a result of which the Sea has now lost more than 90 per cent of its volume and 80 per cent of its area.

5. The area of irrigated land increased mainly in downstream countries, whose lowlands provided suitable conditions for the development of irrigation-based agriculture. Uzbekistan accounts for more than half of all irrigated land in the Aral Sea basin and, accordingly, it uses the lion's share of the region's water resources (approximately 60 per cent).

6. During the Soviet period, in order to preserve the Sea, certain quotas were established for the amount of water that should reach the Sea from both rivers. For example, the integrated water resource management plans for the Amu Darya and Syr Darya allocated an average of 6.42 cubic kilometres to the Aral Sea per year.

7. Water in the countries of the Aral Sea basin continues to be allocated on the basis of these plans even today, with the Aral Sea being allocated an enormous amount of water each year as a separate water consumer. According to ICWC data, the water supply to the Aral Sea and the surrounding area from 1992 until 2010 was around 258 billion cubic metres, or an average of 14.3 billion cubic metres per year. This volume of water allocated to the Aral Sea by ICWC is almost double the annual amount of water that the Republic of Tajikistan draws from the Amu Darya basin.

8. Furthermore, the Republic of Tajikistan does not utilize 1.6 cubic kilometres of its allocation and, factoring in return flow, that figure exceeds 5 cubic kilometres. Simple arithmetic shows that, factoring in unused allocations, at least an additional 10 cubic kilometres of water should flow into the Aral Sea every year. If we rely on the information submitted by Uzbekistan, indicating that annual water intake in Uzbekistan has fallen from 65 to 52 cubic kilometres, the Sea should be receiving an additional 13 cubic kilometres of water every year.

9. However, a completely different picture emerges in practice. The Aral Sea does not receive either the water allocated to it or the water unused by Tajikistan. This is because a significant amount of water is lost as a result of the poor performance of irrigation systems, which are only 30 to 40 per cent efficient. The greatest filtration losses and the lowest levels of performance can be seen midstream and downstream of the Amu Darya. In the last three years alone, the run-off loss in this section has been 32 cubic kilometres, or over 10 cubic kilometres per year, which is almost three times the rate of loss in Soviet times. Studies have shown that

only 20 per cent of all water is being used productively and the remaining 80 per cent is irreversibly lost.

10. The enormous number of reservoirs that have been built or are under construction across vast expanses downstream is also having a significant impact on the desiccation of the Aral Sea. Over a hundred such reservoirs have been built or are now operational, holding a total of 140 cubic kilometres of water. This is more than one and a half times the volume of water in the Aral Sea. Furthermore, factoring in the Aydarkul-Arnasay and Sarykamish lake system (40 and 46 cubic kilometres respectively) and other artificial lakes containing wastewater and drainage water, Uzbekistan's reservoirs hold the same amount of water as that currently found in the Aral Sea.

11. It should however be noted that, as a result of the desiccation of the Aral Sea, every year thousands of tons of salt are whipped up by winds from the dry seabed and spread throughout the basin and beyond. Some of this salt also falls on the region's glaciers and snowfields, which, combined with global warming, causes them to melt more quickly. Experts consider that the glacial resources of the region decreased by almost 30 per cent in the twentieth century. There are also alarming long-term forecasts pointing to the further melting of glaciers and, consequently, to a change in river flow from a negligible amount (5-10 per cent) to an extremely significant amount (10-40 per cent). The accelerated melting of glaciers poses additional risks to sustainable development and to energy and food security.

12. In view of the obvious nature of these facts, it is surprising that the death of the Aral Sea is being blamed on hydropower plants of Tajikistan and Kyrgyzstan that are merely users, rather than consumers, of water.

13. In order to overcome the Aral Sea crisis, which in our view has now become an overly politicized issue, the countries of the region must not only invest widely in the water sector and reduce the scope of irrigated land with water-absorbing crops, they must also show the political will needed to carry out joint and long-term action for the rational use of water and energy resources throughout the Aral Sea basin. Tajikistan therefore proposed that a comprehensive assessment should be carried out of the entire system of water use in Central Asia under the aegis of the United Nations, including the efficient and effective operation of all existing reservoirs and a comprehensive survey of the environmental situation in the region. General Assembly resolution 63/133 on granting observer status to the International Fund for Saving the Aral Sea in the General Assembly was also adopted at the initiative of the Republic of Tajikistan.

14. Freshwater resources around the world, particularly in the Central Asian region, have decreased in recent decades as a result of climate change and the lack of water resources is becoming increasingly acute. It is obvious that water challenges can only be addressed by taking into account the relationship between water resources, energy and food security, and climate change. The key to a successful solution is factoring in these main aspects of global and regional water challenges, today and tomorrow. The development of hydropower in Central Asia could clearly help to comprehensively address many contemporary and future challenges facing the region.

15. For over a decade, the Republic of Tajikistan has been living with crippling energy shortages in the winter months. In the coldest period of the year, the

population has access to electricity only two to three hours a day, and in some districts there is no electricity for two to three months in a row. This has an extremely negative impact on the socio-economic situation in the country. The efforts of the Government of Tajikistan to find a way out of the energy crisis have been entirely undermined by the Republic of Uzbekistan's policy of blocking the transit of electricity from Turkmenistan to Tajikistan, despite the fact that the Governments of Tajikistan and Turkmenistan have signed a bilateral agreement for the necessary amount of electricity to be supplied in the autumn and winter months. Such action runs contrary to General Assembly resolution 63/210, entitled "Reliable and stable transit of energy and its role in ensuring sustainable development and international cooperation", whose sponsors include all the countries of Central Asia.

16. Given the complexity of the situation, it is also very disappointing that, instead of receiving understanding and support, the Republic of Tajikistan has been the object of systematic and unfounded attacks. Unfortunately, our calls for the joint development of Tajikistan's enormous hydropower potential, in order to supply the countries of the region with accessible, affordable and environmentally friendly energy and a reliable water supply for land irrigation, have not been properly understood.

17. Above all, this concerns the Rogun hydropower plant project, over 40 per cent of which was completed during the Soviet era. The right of the Republic of Tajikistan to complete the construction of this hydropower facility is protected by intergovernmental agreements concluded with Central Asian countries in the post-Soviet period. Nonetheless, in view of the need to ensure transparency and openness and to safeguard common regional interests, the Republic of Tajikistan, acting in good faith, requested the World Bank to conduct a Techno-Economic Assessment Study and a Environmental and Social Impact Assessment of the project. International consultants are currently working on these Rogun Assessment Studies and the World Bank has set up a parallel panel of experts and has launched a new mechanism for discussing this project at the regional level with other States in the region. The Republic of Tajikistan, guided by the principles of good-neighbourliness, mutually beneficial cooperation and respect for the interests of neighbouring countries, took an unprecedented step in agreeing to adopt these new approaches for the implementation of the project. Furthermore, the Government of Tajikistan sent the Governments of all countries in the region letters to that effect, proposing that they form an international consortium in order to build this important plant.

18. The construction of the Rogun hydropower plant was envisaged in the aforementioned integrated water resource management plan for the Amu Darya river, which continues to serve as the main instrument for water allocation among countries of the basin. The Rogun complex is designed to improve water supply to over 3 million hectares of irrigated land in countries downstream of the Amu Darya during times of low rainfall or drought, thereby ensuring long-term water, energy and food security. In particular, the plan for the Amu Darya river noted the following: "The deadline for the commissioning of the Rogun reservoir is very important for the Amu Darya river basin since, from 1986 onwards, consumer demand on Amu Darya water resources will exceed the river's seasonal regulation capacity during low-water years. Thus, until the Rogun reservoir becomes operational, a number of low-water years might place a strain on water resources management in the basin".

19. Furthermore, the hydropower plant has the capacity to generate over 13 billion kWh of cheap and clean energy, which could satisfy the growing needs not only of Tajikistan but also of other countries in the region. This would make it possible to conserve oil, gas and coal deposits, which are being mined intensively by countries in the region for power generation, and could also significantly reduce harmful gas emissions. In the course of one year, a thermal power plant with generation capacity equal to that of the Rogun hydropower plant (3,600 MW) uses over 10 million tons of coal and releases over 25 million tons of carbon dioxide into the atmosphere. The Rogun reservoir would also help prevent such extreme hydrological events as freshets, mudflows and floods, which cause enormous damage in almost all basin countries every year. For example, in 2010 alone, Tajikistan sustained over $600 million in damage from mudflows and flooding.

20. With regard to the safety of the dam at the Rogun hydropower complex, authoritative institutions have conducted several assessments confirming that a high-altitude rockfill dam with a clay core provides the most reliable and robust structure with the lowest risks. For example, in 2005 the academician Sabit Negmatullaev prepared a report on seismicity and seismic hazard at the Rogun dam of behalf of the Tashkent-based enterprise "Gidroproekt". The report, based on 500 years of seismic data in Tajikistan, confirmed that there had not been any earthquakes with a magnitude of over 6.0 within the construction zone.

21. The above has clearly been corroborated by the 40 years of successful operating experience at the 300-metre-high Nurek hydropower plant, which is analogous to the Rogun plant and located in a geologically similar area. In October 2009, the International Commission on Large Dams conferred a special distinction on the Nurek dam, awarding it a certificate of quality as an "engineering milestone". The unique experience gained from the application of new technologies at the Nurek dam will also be used in the construction of the dam at the Rogun hydropower plant. Nonetheless, the issue of seismic hazard is under careful consideration in the context of the ongoing Rogun Assessment Studies.

22. Despite the clear benefits from the Rogun hydropower plant to the countries of Central Asia and a number of countries in South Asia, as well as the transparency and legality of the measures undertaken by the Government of Tajikistan in order to complete construction in accordance with the basic principles and norms of international law and the interests of riparian States, the Republic of Uzbekistan has pursued an unprecedented campaign to discredit this project through public statements, media appearances and recourse to international bodies.

23. One such example was the purported international conference entitled "Transboundary environmental problems in Central Asia: the use of international legal mechanisms to solve them", held in Tashkent on 16 and 17 November 2010. As a firm advocate of discussing the challenges facing Central Asian countries openly and constructively, particularly with respect to water, energy and the environment, the Republic of Tajikistan had intended to participate actively in the work of the conference and to contribute towards its success. Most regrettably, however, and despite the declared international nature of the event, the conference organizers did not consider it necessary to invite their Tajik colleagues to attend. This necessarily calls into question the stated goals and objectives of the event, and its transparency and objectivity. Such events, which prevent all interested parties from participating in them in an equitable manner, contravene the purposes and

principles of the Charter of the United Nations, and the provisions of international environmental conventions and other international legal instruments. Their purpose is to undermine regional cooperation in Central Asia.

24. The Republic of Tajikistan has consistently supported the further development and strengthening of regional cooperation and partnership; it believes that the challenges facing Central Asia, particularly with respect to water, energy and the environment, should be addressed through dialogue and negotiations, in compliance with the purposes and principles of the Charter of the United Nations; and Tajikistan is making every effort to achieve sustainable development, well-being and prosperity in the region. Guided by these same intentions and purposes, a delegation from Tajikistan took part in the recent conference held in Tashkent entitled "Towards the Sixth World Water Forum — cooperative actions for water security". The conference, convened to develop a coordinated position among all Central Asian countries on priorities issues at the World Water Forum, ostensibly became an instrument of coercion against upstream countries, namely Tajikistan and Kyrgyzstan, through a one-sided and distorted assessment of the significance of the hydropower projects under way in those countries.

25. It is surprising that the very topic of harmonizing energy and water, one of the 12 key priorities of the Sixth World Water Forum and one of the most pressing issues for the region, was completely ignored by the conference organizers when drawing up the programme of activities. Also of note was the uncharacteristic approach taken by the event organizers, who invited only "convenient" participants. For example, three experts from Tajikistan were denied entry visas to Uzbekistan.

26. The one-sidedness of the conference was also evident from the format and topics of the round tables, for which representatives of the host country were the main speakers. Furthermore, contrary to the norms and standards for the conduct of such events, no time was set aside for an open discussion of the presentations. The content of the round tables was also completely different from their titles. For example, in the context of the round table entitled "Risk management and water security", which should have discussed a broad range of pressing issues facing the region, the organizers focused their presentations exclusively on the topic of ensuring the safety of hydropower facilities, primarily those located in Tajikistan. While the organizers went to great lengths to distance themselves from discussing the use of water and energy resources in the region, most discussions at the conference did address this topic. However, the conference outcome document failed to include a single sentence to reflect the conclusions of those discussions. The document compiled by the organizers was distributed virtually at the start of the concluding plenary meeting, and participants were not given an opportunity to examine its contents or offer their comments and suggestions. Since the interrelationship between water and energy policy, which is key to resolving the region's water resource problem, was ignored, and in view of the distorted picture given of international water law in favour of certain countries, the delegation of Tajikistan was compelled to oppose the adoption of the conference outcome document. Thus, a conference convened to develop coordinated and joint measures in order to address the region's priority water problems was in fact held in an unconstructive atmosphere, owing to the one-sided approach of its organizers. This aspect of the conference was not reflected in the letter from the Permanent Representative of the Republic of Uzbekistan addressed to the General Assembly.

27. Inexplicably, despite the Rogun Assessment Studies being conducted by the World Bank, Uzbekistan's representatives have continued to call for an international assessment of the project. It is unclear how the international assessment being conducted by the World Bank differs from the one being requested by Uzbekistan. However, it is clear that Uzbekistan is unjustifiably doing everything it can to entirely halt the completion of a project that is important to Tajikistan and the region as a whole.

28. This was evident once again from the refusal by the official delegation of the Republic of Uzbekistan to participate in discussions on the Rogun hydropower project at the first meeting of riparian countries, held under the aegis of the World Bank in Almaty, Kazakhstan, on 17 to 19 May 2011. It is incomprehensible how the Republic of Tajikistan can be accused by a country of unilaterally constructing hydropower facilities and violating the basic norms and principles of international water law while, at the same time, that country ignores a multilateral meeting designed to harmonize the positions of all States in the region with respect to that issue. Such a position clearly does not reflect the norms and principles of international law, much less the spirit of friendly and good-neighbourly relations.

29. The Republic of Tajikistan believes that it is only through timely and coordinated efforts that the countries of the region will collectively be able to address contemporary challenges and find the right solutions to existing and emerging problems. Region-wide approaches to water and energy resource use in Central Asia will contribute towards more effective water resource management. This will help to ensure water, energy and food security, economic growth, greater overall prosperity and, more generally, the sustainable development of the entire region.

30. The Republic of Tajikistan clearly and fully recognizes that progress on water and energy resource use will be impossible without appropriate cooperation. To that end, it is determined to continue cooperating with all interested parties and, first and foremost, with the countries of the region, in accordance with the universally recognized purposes and principles of the Charter of the United Nations and existing intergovernmental agreements.